

SENATE CHAMBER, }
AUSTIN, TEXAS, Monday, January 30, 1871. }

Senate met pursuant to adjournment; Hon. Don Campbell, President, in the chair.

Roll called; quorum present.

Prayer by the Chaplain.

Journal of Saturday read and adopted.

Under direction of the President, the Secretary carried to the House, for signature of Speaker, enrolled Senate joint resolution No. 1, instructing our Senators and requesting our Representatives in Congress to secure the establishment of the port of Sabine Pass a port of entry.

Signed by the Speaker of the House, returned and signed by the President of the Senate.

Message from the Governor by his private Secretary:

EXECUTIVE DEPARTMENT,
AUSTIN, January 30, 1871.

To the Honorable Senate of the State of Texas:

GENTLEMEN: I respectfully ask your advice and consent to the following appointment, to-wit: C. B. Sabin, Judge of the District Court for the Eighteenth District.

• Respectfully,

EDMUND J. DAVIS,
Governor.

EXECUTIVE DEPARTMENT,
AUSTIN, January 30, 1871.

To the Honorable Senate of the State of Texas:

GENTLEMEN: I respectfully ask your advice and consent to the following appointment, to-wit: J. D. McAdoo, Judge of the District Court for the Seventh District.

Respectfully,

EDMUND J. DAVIS,
Governor.

EXECUTIVE OFFICE,
AUSTIN, January 30, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: I have the honor to request the withdrawal of the name of

J. L. Gray, Esq., as Judge of the Seventh District of the State of Texas.

Respectfully,

EDMUND J. DAVIS,
Governor.

EXECUTIVE OFFICE,
AUSTIN, January 30, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: I have the honor to request the withdrawal of the name of J. H. Banton, Esq., as Judge of the Eighteenth District of the State of Texas.

Respectfully,

EDMUND J. DAVIS,
Governor.

Messages read.

PETITIONS AND MEMORIALS.

By Senator Parsons: memorial of Committee of the Galveston Chamber of Commerce.

Read and referred to Committee on Agricultural Affairs.

By Senator Ruby: a petition of the insurance agents of Galveston, asking an amendment of "An act supplemental to an act to levy taxes, approved August 15, 1870."

Read and referred to Committee on Finance.

By Senator Hildebrandt: a petition of the citizens of La Grange, praying the Legislature to abolish the old charter of the town of La Grange.

Read and referred to Committee on State Affairs.

Senator Bell asked leave of absence for Senator Gaines to-day.

Granted.

Senator Ruby moved that Senator Pickett be added to Committee on Finance.

Adopted.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Judiciary:

COMMITTEE ROOM,

AUSTIN, January 30, 1871.

Hon. DON CAMPBELL,
President of the Senate:

SIR: Your Committee on Judiciary, to whom was referred Sen-

ate bill No. 15, entitled "An act for the relief of Harriet Williams and the issue of said Harriet and Louis Brisett, deceased," have carefully considered the same. A majority of your committee are of opinion that special legislation is neither requisite nor proper in this case. If the petitioners have rights they were created by article twenty-seven of the Constitution of this State, and relief should be sought through the medium of the courts, they being the only tribunals competent to decide the questions involved in this case. Your committee, therefore, respectfully ask to be discharged from further consideration thereof

Respectfully,
A. J. FOUNTAIN,
Chairman.

Report read and laid over under the rules.

Report of Committee on Roads, Bridges and Ferries:

COMMITTEE ROOM,
AUSTIN, January 30, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 45, entitled "An act to incorporate the Kaufman County Bridge Company," having had the same under careful consideration, beg leave to report back the same with amendment, and recommend its passage.

J. G. BELL,
Chairman.

Report read and laid over under the rules.

BILLS AND RESOLUTIONS.

Senator Mills offered the following resolution, which was adopted:

Resolved, That the Comptroller of Public Accounts furnish the Senate with all the vouchers that he has audited, accepted and paid, with the names of the parties who drew said pay, acting in capacity of clerks of the call session of the Twelfth Legislature.

By Senator Bell: "An act (Senate bill No. 66) to incorporate the Callahan Cotton Seed Oil Manufacturing Company of Hempstead, Texas."

Read first time and referred to Committee on State Affairs.

By Senator Saylor: a bill (Senate bill No. 67) making an appropriation for the completion and furnishing the Supreme Court building at Austin.

Read first time and referred to Committee on Public Buildings.

By Senator Pickett: "An act (Senate bill No. 68) to authorize

the transmission of criminal process by telegraph, and for other purposes."

Read first time and referred to Committee on Judiciary.

Also, "An act (Senate bill No. 69) supplementary to an act entitled 'An act to provide for the registration of voters,' approved the eleventh day of July, A. D. 1870."

Read first time and referred to Committee on Judiciary.

By Senator Ruby: "An act (Senate bill No. 70) amendatory of and supplemental to an act to levy taxes," approved August 15, 1870.

Read first time, and referred to Committee on Finance.

By President Campbell: "An act (Senate bill No. 71) to incorporate the Marion County Agricultural, Mechanical and Blood Stock Association."

Read first time and referred to Committee on Agricultural Affairs.

Also, "An act (Senate bill No. 72) to incorporate the Hebrew Benevolent Association of Jefferson, Texas."

Read first time and referred to Committee on Judiciary.

Senator Ruby presented the following report of the Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, January 30, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills having examined and compared Senate bill No. 50, "to incorporate the Powell Bridge Company, in Navarro county" find the same correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Read and received, and

The Secretary carried Senate bill No. 50 to the House for concurrence.

President announced a communication from the State Treasurer as follows:

TREASURY DEPARTMENT,
AUSTIN, TEXAS, January 30, 1871.

Hon. DON CAMPBELL,

President Texas Senate:

SIR: I have the honor to acknowledge the receipt from your honorable body, of the following resolution:

Resolved, That the Treasurer of the State be requested to inform this body if the plates used in printing bonds for frontier defense have been deposited within the vaults of the Treasury, as required

by section 8, of "An act providing for the issuance and sale of the bonds of the State, for the purpose of meeting the appropriations made for maintaining ranging companies on the frontier," approved August 5, 1870.

In reply, I have to say that no plate or plates of any sort whatever have been placed within the vaults of the State Treasury by any individual or company since I have had charge of the same, nor do I know anything concerning the same.

I am, very respectfully,

Your obedient servant,

GEORGE W. HONEY,

State Treasurer.

Communication read, and on motion of Senator Bowers, it was referred to a select committee of three.

The President appointed on said committee Senators Bowers, Baker and Ford.

BILLS.

By Senator Baker: Senate bill No. 73, "An act to perfect tax titles to lands."

Read first time, and referred to Committee on Judiciary.

Senator Bell moved a suspension of rules, to take from file (Senate bill No. 1) "An act to amend the twenty-second section of an act prescribing the times of holding the district courts in the several judicial districts in the State."

Read second time, and on motion of Senator Bell passed to engrossment.

On motion of Senator Tendick, the rules were further suspended, Senate bill No. 1 read third time and passed.

SPECIAL ORDER.

12 M.

Senate bill No. 46, a bill to be entitled "An act to provide for the defense of a certain suit therein named," and substitute of Senator Baker (Senate joint resolution No. 6) "authorizing the Attorney General to submit the case of John A. C. Gray, Receiver of the Memphis and El Paso Railroad Company."

Substitute read.

By leave, Senator Baker withdrew his substitute.

Senator Parsons offered the following amendment to Senate bill No. 46:

Strike out all after the words "State of Texas," second line, section one, and insert "that the Governor is hereby authorized to

select and contract with competent legal counsel for the purpose, and with instructions to represent the State of Texas in the above entitled cause, in the Supreme Court of the United States, and the said counsel so selected shall be directed at once to prosecute an appeal, both on the decision on the demurer, and the injunction to a full and speedy decision.

Section 2. Be it enacted, that this act shall take effect and be in force from and after its passage.

Senator Douglas offered the following amendment to the amendment:

Strike out the words "demurer and injunction" and insert the words "said cause, provided the same shall be decided against defendants or appealed by plaintiffs," which amendment was accepted.

Senator Bowers offered the following amendment to the amendment:

Add before the words "Supreme Court of the United States," the words "Circuit Court of the United States for the Western District of Texas, and in the," which amendment was accepted.

Senator Fountain moved that the bill and amendments be referred to a select committee of three, with instructions to report to-morrow at 12, M.

Adopted.

The President appointed on said committee Senators Pickett, Douglas and Parsons.

Senator Bowers moved that the Governor's message, received to-day, be acted on in executive session to-morrow, at 12, M.

Adopted.

Senator Ruby moved to reconsider the motion to go into executive session to-morrow, at 12, M., which motion was adopted.

Senator Ruby moved that the Senate go into executive session at 12, M., Wednesday, which motion was adopted.

Senator Ruby presented the following report of Committee on Engrossed Bills:

COMMITTEE ROOM,
AUSTIN, January 30, 1871.

Hon. DON CAMPBELL,

President of the Senate:

SIR: Your Committee on Engrossed Bills, having examined and compared Senate Bill No. 40, "Incorporating the Texas Coal and

Mining Company," and Senate bill No. 20, "To incorporate the Bank of Texas," find the same to be correctly engrossed.

G. T. RUBY,
E. L. DOHONEY,
P. W. HALL.

Report read and received.

On motion of Senator Flanagan, the Senate adjourned to 11, A. M., to-morrow.
